

REMARKS

Reconsideration is requested.

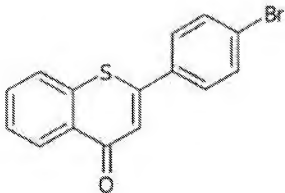
The applicants elect, with traverse, the subject matter of the Examiner's Group II for further prosecution. Rejoinder and allowance of any claim defining a method of making and/or using a product defined by an allowable claim, at an appropriate time, are requested.

Reconsideration and withdrawal of the lack of unity determination and election requirement are requested in view of the following comments.

The Examiner will appreciate that the present application is a 371 U.S. national phase of a PCT application such that the principles of unity of invention apply.

The Examiner asserts that the subject matter of the Examiner's Groups I and II allegedly do not relate to a single general inventive concept under PCT Rule 13.1 because French et al (J. Heterocyclic Chem 1998, Formula 5a) allegedly teaches an embodiment of Formula I of the present claims.

The applicants submit, with due respect, that French et al does not describe a compound of the claims. Specifically, the compound of Formula 5a noted by the Examiner has the following formula:



Among other things, the claims require at least one of the groups R1, R3, R4 or R5 are an alkyl group containing at least one substituent from group 1 or 2, said alkyl group being bound directly to the ring or being associated with a group G according to the formula $-GR$, the substituents from group 1 being selected from the group consisting of carboxy groups having the formula $-COOR_6$ and carbamoyl groups having the formula $-CONR_6R_7$, and the substituents from group 2 being selected from the group consisting of sulfonic acid (SO_3H) and sulfonamide groups having the formula $-SO_2NR_6R_7$.

Compound 5a cited by the Examiner does not contain a required group 1 or 2 of the claims. The cited reference fails to demonstrate that the claimed subject matter lack the same or corresponding special technical feature. Withdrawal of the lack of unity determination and requirement to make an election as between the subject matter of the Examiner's Groups I and II are requested. Examination of all of the claimed subject matter is requested.

For completeness, the applicants elect, with traverse, the species of compound 29 (shown on page 72 of the specification), for initial examination. The claims of the elected Group read on the elected species. Reconsideration and withdrawal of the election of species requirement are requested as search and examination of all of the claimed subject matter is not believed to present an undue burden.

Reconsideration and withdrawal of the lack of unity of invention determination and election of species requirement are requested along with an early and favorable Action on the merits of all of the claimed subject matter.

Respectfully submitted,

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